



City of Riverside, California
Personnel Policy and Procedure Manual

Approved:

Human Resources Director

City Manager

Number: III-15 Effective Date: 06/02

SUBJECT: **VIOLENCE IN THE WORKPLACE**

PURPOSE:

To establish a policy to prevent and/or respond to incidents of workplace violence or a perceived threat of violence in the workplace.

The City has "zero tolerance" for threats of violence or violent acts in the workplace. The purpose of this policy is to reduce the probability that employees will engage in verbal threats or physical actions that create a security hazard for others in the workplace, and to ensure that any complaint of violence or the threat of violence is taken seriously and is thoroughly and promptly investigated.

DEFINITION:

According to the National Institute for Occupational Safety and Health (NIOSH), workplace violence is defined as:

“Any physical assault, threatening behavior or verbal abuse occurring in the work setting. It includes but is not limited to beatings, stabbings, suicides, shootings, rapes, near suicides, psychological traumas such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as being followed, sworn at or shouted at.”

According to Cal OSHA guidelines the circumstances associated with workplace violence can be divided into three (3) major types:

Type I: A violent act by an assailant with no legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act.

Type II: Incidents involving a violent act or threat of violence by a customer/client of a service provided by the City.

Type III: Acts of violence involving a violent act or threat of violence by a current or former employee, supervisor or manager or another person who has some employment-related involvement with the City.

For purposes of this policy, violence is defined as the deliberate and wrongful violation, damage, or abuse of other persons, self or property, and includes threats of violence.

POLICY:

It is the policy of the City of Riverside to provide a safe workplace for its employees. Acts or threats of violence, including intimidation, harassment and/or coercion which involve or affect the City or which occur on City property will not be tolerated.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at the City or to create a hostile, abusive or intimidating work environment for one or more City employees.

Any act or threat of violence can occur:

- A. On City premises regardless of the relationship between the City and the parties involved in the incident;
- B. On City premises involving someone who is acting in the capacity of a representative of the City; or
- C. Off City premises involving an employee of the City if the threats or acts affect the legitimate interests of the City.

Specific examples of conduct which may be considered threats or acts of violence include, but are not limited to, the following:

- A. Hitting, pushing, shoving, kicking, touching or assault on an individual.
- B. Threatening an individual or his/her family, friends, associates, or property with harm.
- C. Intentional destruction or threat of City property, such as arson, sabotage, or vandalism.
- D. Harassing or threatening phone calls.
- E. Harassing surveillance or stalking.
- F. Making menacing or threatening gestures that imply bodily harm.
- G. The suggestion or intimidation of violent acts.
- H. Unauthorized or inappropriate use of firearms.
- I. Behavior indicating that the individual is significantly out of touch with reality which poses a threat to the employee or others.
- J. Any other act(s) which a reasonable person would consider as inappropriate and/or posing a danger or threat of danger/violence in the workplace. Such behavior includes, but is not limited to oral, written or e-mail statements, gestures or expressions that communicate a direct or indirect threat of physical harm.

K. Offensive comments regarding violent events and/or behaviors.

The City's ban against threats and acts of violence applies to all persons involved in the City's operation. Disciplinary action up to and including termination shall be instituted against any employee, and/or legal action shall be taken against anyone who engages in violent behavior as described in this policy. Violations of this policy shall apply to, but are not limited to the following:

- A. City of Riverside employees
- B. Contracted workers
- C. Temporary workers
- D. Anyone on City property
- E. Subcontractors
- F. Vendors
- G. Any individual acting as a representative of the City of Riverside while off City property
- H. Any individual acting off of City property when his/her actions affect the City's business interests

Every employee and every person on City property is encouraged to report incidents of threats or acts of physical violence of which he/she is aware. The report should be made to the Human Resources Director, the reporting individual's immediate supervisor, or another supervisory employee if the supervisor is not available.

Potentially hazardous security conditions need to be communicated to the immediate supervisor and the City Safety Officer.

In order to promote compliance with this policy and maximize the City's efforts to provide a safe and secure workplace that is free from violence, the City will establish security measures and practices as needed. It will also provide related training programs as appropriate.

The City will establish a management team to review the implementation of this policy and offer advice to City supervisors to offset and prevent incidents of workplace violence.

Compliance with Violence In the Workplace Policy is a condition of employment and will be evaluated, together with other aspects of an employee's performance.

The following procedures have been established to provide direction to supervisors and managers for occurrences and to prevent future occurrences of workplace violence.

CRITICAL INCIDENT ACTION PLAN

In the event of a threat of violence and/or act of violence, City employees need to follow the course of action.

Responding to Threats of Violence

In all cases of threats of violence or allegation, the immediate supervisor, Department Head and Human Resources Director need to be notified.

- A. All employees must take appropriate action to deal with all work place occurrences and/or threats of violence.
- B. Take measures appropriate for the situation to:
 - * Prevent harm to persons and/or property; and
 - * Continue to conduct City business.

C. If there is:

Immediate physical danger to an employee, member of the public and/or City property:

Notify the police by calling 9-911 (using City phone) or 911 (public phone) and provide warning and security needed for any threatened employee, member of the public, and/or property.

An allegation that an employee is making threats or is intimidating others:

Notify the appropriate supervisor and/or Department Head.

A confrontation with a threatening employee:

Do not make counter threats or agitate the employee who is threatening violence.

D. After the threat has been made:

1. The Department Head or their designee should arrange for Employee Assistance Services for the affected employee.
2. Human Resources Department will conduct an investigation and provide appropriate recommendations.

E. During a Traumatic Incident the following steps should be followed:

1. Recognize what is occurring even if it seems out of the normal workplace experience.
2. Remain calm and proceed in a logical manner.

3. Seek a secure area and assist others if necessary and possible to a secure area.
4. Assess the situation in terms of the degree of threat, injury, or damage.
5. Get help in the following situations:

Life-Threatening: Call 9-911. Answer the dispatcher's questions in a calm and accurate manner.

Injuries: Call 9-911 and obtain emergency medical assistance.

If someone is still violent or threatening violence call, 9-911 and seek a secure area for yourself and others if possible.

- F. After a traumatic incident the Department Head or their designee should arrange for Employee Assistance services for the affected employee(s) as soon as possible.
- G. Removal of an Employee from a worksite:

Supervisors are responsible to ensure that the workplace is a safe and secure place for employees to perform their routine job duties.

Guidelines

Supervisors should rely on their own judgment and personal observation when assessing an employee's fitness for duty.

Observations and judgments must be based on job-related criteria.

The criteria used to evaluate an employee's fitness for duty may be based on the following:

- * Illness (mental, emotional, and/or physical)
- * Use of prescription drugs, alcohol or other substances
- * Irrational behavior

Examples of observations that may support an unfit for duty judgment:

- * odor of alcohol
- * incoherent or impaired speech
- * dilation of eye pupils
- * lack of coordination in walking and/or manual dexterity

- * out of ordinary work mistakes, accidents and injury

Procedure

When a supervisor determines that an employee is unfit for duty, he/she must immediately remove that employee from the workplace using the following procedure:

1. Notify the department head or designee.
2. Notify the Human Resources Director or designee.
3. If required, the Human Resources Director arranges to have testing at a drug and alcohol facility.
4. Arrange for transportation home; if the employee's judgment is impaired, do not let him/her drive a City or personal vehicle. Consider contacting a family member, a cab or having another City employee drive the employee home.
5. Document the incident and include specific information about the employee's behavior leading to the supervisor's decision, including the identification of any witnesses.
6. The Human Resources Department will conduct a complete investigation.
7. The Human Resources Department will correspond with the employee as to the conditions the employee must satisfy in order to return to work.
8. In the course of the investigation and any pending action all employees and supervisors must keep the details of the incident confidential.

In order to avert future acts of workplace violence, managers are encouraged to implement the following practices:

Reference Checks: Prior to the selection of a job applicant for a position, a reference check should be completed. Basic employment should be verified. This includes but is not limited to prior position held, duties of the position, dates of employment and reason for leaving. The information received should be documented and factual with no subjective comments. Completion of a thorough reference check will provide the City protection from future negligent hiring claims. The Human Resources Department will offer assistance in the completion of reference checks.

Employee Privacy: Supervisors are encouraged to refer all requests for information concerning current employees to the Human Resources Department. Information concerning an employee's workplace location shall not be given to anyone who cannot demonstrate a business necessity for this information.

Workplace Security: Managers are encouraged to solicit assistance from the Safety Officer and/or Police Department for an inspection of the workplace facilities. This

inspection would provide recommendations to managers on securing the workplace against potential acts of workplace violence.

It is important to be careful when drawing assumptions or relying on any of the above behaviors as indicators of violence. Many people experience stress, loss or illness at some point. All but a very few people handle these disruptions and conditions without resorting to violence. Intervention should focus on supporting the employee through these disruptions and managers should be trained to deal with these difficulties.

Whenever a situation may arise in the workplace, it is important that an assessment occur to determine the degree of risk. All threats must be treated in a serious manner. Supervisors and employees should identify the potential perpetrator and report incidents of violence immediately. The situation should be managed in a way that protects all employees.